

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**IN RE: George Craig Craft
 Mary Victoria Weathersby Craft, Debtors**

**Case No. 19-03660-KMS
CHAPTER 13**

RESPONSE

COME NOW, Debtors, by and through counsel, and responds to the Trustee's Motion to Modify the Chapter 13 Plan (dk # 21) as follows:

1. Debtors commenced this case on October 14, 2019 by filing a voluntary petition for relief under Chapter 13 of Title 11 of the United States Bankruptcy Code.
2. Debtors' plan was confirmed on December 10, 2019 (Dk # 17.)
3. That Debtor received an inheritance of real estate ("house") upon the passing of his mother. That Debtor inherited a one third interest in the property. That Debtor's sister lived in the house prior to the passing of Debtor's mother. That Debtor's sister only receives social security income. That Debtor's sister intends to continue residing in the residence.
4. That debtor's sisters do not have adequate resources to buy debtor's portion of the property, valued at approximately \$19,767.00.
5. That debtors have 20 months remaining in their plan. Debtor's are on a fixed income and cannot afford to pay \$19,767.00 over a period of 19 months.
6. Further, Debtor does not intend to use or profit from this property. The debtor prays that his sister be allowed to continue living in the property.
7. That this property was inherited more than 180 days after the filing of the chapter 13 filing. If a chapter 7 had been filed rather than chapter 13, this would not be property of the estate.

8. The debtor is already paying a sufficient distribution to unsecured creditors to pay the liquidation value as of the date of filing.

9. That Debtor request Court permission to disclaim the inheritance.

WHEREFORE, Debtors pray for an Order denying the Motion and for such additional or alternative relief as may be just and proper.

Respectfully submitted,

By: /s/ Thomas C. Rollins, Jr.
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Attorney for Debtor

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CERTIFICATE OF SERVICE

I, Thomas C. Rollins, Jr., do hereby certify that a true and correct copy of the above and foregoing Response was forwarded on February 13, 2023, to:

By Electronic CM/ECF Notice:

David Rawlings

U.S. Trustee

/s/ Thomas C. Rollins, Jr.
Thomas C. Rollins, Jr.